

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DUSTIN T. PERRIN,

Plaintiff,

V.

SPOKANE COUNTY JAIL,

Defendants.

2:15-cv-00314-SAB

**ORDER DISMISSING
COMPLAINT WITHOUT
PREJUDICE**

By Report and Recommendation filed January 25, 2016, Magistrate Judge

18 Rodgers recommended that Plaintiff's complaint be dismissed without prejudice
19 pursuant to his motion to voluntarily dismiss under Fed. R. Civ. P. 41(a). ECF No.
20 11. Defendants have not been served. No party has filed any objections. Although
21 granted the opportunity to do so, Plaintiff did not file a separate Motion and
22 Affidavit to waive the remaining balance of the filing fee as directed. Therefore,
23 Plaintiff still is obliged to pay the full filing fee for this action pursuant to 28
24 U.S.C. § 1915(b).

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ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE -- 1

1 **IT IS HEREBY ORDERED** that:

2 1. The Report and Recommendation, ECF No. 11, is **ADOPTED in its**
3 **entirety.**

4 2. Plaintiff's Motion, ECF No. 10, is **GRANTED.**

5 3. The Complaint, ECF No. 7, is **DISMISSED without prejudice.**

6 **IT IS SO ORDERED.** The District Court Executive is directed to enter
7 this Order, enter judgment of dismissal without prejudice, forward a copy to
8 Plaintiff at his last known address, and close the file.

9 **DATED** this 18th day of February, 2016.



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13 Stanley A. Bastian
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15 Stanley A. Bastian
16 United States District Judge
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